

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

MEMORANDUM AND ORDER

This matter is before the Court on a motion filed by plaintiff Joseph Harris that has been construed as a notice of voluntary dismissal filed pursuant to Fed. R. Civ. P. 41(a). (Docket No. 14). In the motion plaintiff states that he “wish[es] to dismiss [his] complaint due to lack of assistance.” Having reviewed the motion, the Court finds that it should be granted. Therefore, this action will be dismissed without prejudice. This dismissal will not count as a “strike” under 28 U.S.C. § 1915(g).

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for voluntary dismissal (Docket No. 14) is **GRANTED**.

IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice. A separate order of dismissal will be entered herewith.

IT IS FURTHER ORDERED that an appeal of this dismissal would not be taken in good faith.

Dated this 6th day of November, 2019.

SLR.CE

STEPHEN R. CLARK
UNITED STATES DISTRICT JUDGE